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Attorneys for Nonparty,
GUARDIAN ALLIANCE TECHNOLOGIES, INC.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

In the Matter of Subpoena to
GUARDIAN ALLIANCE
TECHNOLOGIES, INC.,

Nonparty,

MILLER MENDEL, INC.; and TYLER
MILLER,

Plaintiffs,

v.

THE CITY OF OKLAHOMA CITY,

Defendant.

No. 2:20-mc-00018-WBS-DB

**STIPULATION TO TRANSFER
SUBPOENA-RELATED MOTION
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 45(f) AND ORDER**

(Subpoena issued from U.S. District Court for
the Western District of Oklahoma, *Miller
Mendel, Inc. et al. v. The City of Oklahoma
City*, No. CIV-18-990-JWD)

This stipulation is entered into by and between GUARDIAN ALLIANCE TECHNOLOGIES, INC. (“Guardian”), and MILLER MENDEL, INC. and TYLER MILLER (collectively, “Miller Mendel”), by and through their respective attorneys as follows:

RECITALS

This stipulation is entered into with the following facts taken into consideration:

A. On or about January 7, 2020, Miller Mendel served Guardian with a nonparty subpoena (the “Guardian Subpoena”) pursuant to a patent infringement lawsuit in the U.S. District

1 Court for the Western District of Oklahoma, captioned as *Miller Mendel, Inc. et al. v. The City of*
2 *Oklahoma City*, Case No. CIV-18-990-JWD.

3 B. On or about January 24, 2020, Guardian moved this Court to quash the Guardian
4 Subpoena (the “Motion”). A hearing on the Motion is set for March 13, 2020 at 10:00 a.m.

5 C. On or about February 25, 2020, Miller Mendel and Guardian, through their
6 respective attorneys, met and conferred telephonically pursuant to Eastern District of California
7 Local Rule 251. During the conference, Guardian agreed to transfer the Motion pursuant to Federal
8 Rules of Civil Procedure, Rule 45(f).

9 D. The parties now desire to have the Motion transferred to the U.S. District Court for
10 the Western District of Oklahoma.

11 STIPULATION

12 With the above facts taken into consideration, the adequacy and sufficiency of which are
13 hereby acknowledged, the parties stipulate as follows:

14 1. The parties consent to transfer the Motion to the U.S. District Court for the Western
15 District of Oklahoma.

16 2. Guardian specifically reserves its right to object to personal jurisdiction and venue
17 in the U.S. District Court for the Western District of Oklahoma, if later added as a party to the
18 underlying action, and for all purposes other than resolution of the instant Motion.

19 DATED: March 4, 2020

COLEMAN & HOROWITT, LLP

21 By: /s/ Sherrie M. Flynn
22 DARRYL J. HOROWITT
23 SHERRIE M. FLYNN
24 Attorneys for Nonparty
GUARDIAN ALLIANCE
TECHNOLOGIES, INC.

1 DATED: March 3, 2020

BUCHALTER

2
3 By: /s/ Robert S. McWhorter
4 ROBERT S. McWHORTER
5 Attorneys for MILLER MENDEL,
INC. and TYLER MENDEL

6 **ORDER**

7
8 The parties having so stipulated, and good cause appearing therefor, nonparty Guardian
9 Alliance Technologies, Inc.'s Motion to Quash the Subpoena served by Miller Mendel, Inc. and
10 Tyler Miller is hereby transferred to the U.S. District Court for the Western District of Oklahoma.

11 IT IS SO ORDERED.

12 DATED: March 4, 2020

/s/ DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE